

Marc Van Der Hout (CA Bar #80778)
Johnny Sinodis (CA Bar #290402)
Van Der Hout LLP
360 Post Street, Suite 800
San Francisco, CA 94108
Telephone: (415) 981-3000
Fax: (415) 981-3003
Email: jsin@vblaw.com

Attorneys for Plaintiff
John Doe

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

John Doe,

Plaintiff,

v.

Donald J. TRUMP, in his official capacity,
President of the United States of America;

MOISES BECERRA, in his official capacity, Acting
Field Office Director of San Francisco Office of
Detention and Removal, U.S. Immigrations and
Customs Enforcement; U.S. Department of Homeland
Security;

Todd M. LYONS, in his official capacity, Acting
Director, Immigration and Customs Enforcement,
U.S. Department of Homeland Security;

Kristi NOEM, in her official capacity, Secretary, U.S.
Department of Homeland Security;

Defendants.

Case No. 4:25-cv-03140

**STIPULATION FOR
ADMINISTRATIVE RELIEF
TO (1) RESET HEARING BY
ONE BUSINESS DAY AND (2)
EXTEND TIME TO FILE
SUBMISSIONS BY SIX
HOURS EACH; [PROPOSED]
ORDER**

Immigration Case, Administrative
Procedure Act Case

John Doe v. Trump, et al., No. 4:25-cv-03140
STIPULATION AND [PROPOSED] ORDER FOR
ADMINISTRATIVE RELIEF TO RESET HEARING BY
ONE BUSINESS DAY AND TO EXTEND TIME TO FILE
SUBMISSIONS BY SIX HOURS

1 Through this stipulation, the parties respectfully request that the Court issue an order
2 resetting the April 25, 2025, hearing by one business day. The parties further stipulate and
3 respectfully ask the Court to afford them an additional six hours in which to file their respective
4 submissions.

5 On April 17, 2025, this Court granted Plaintiff's motion for a temporary restraining order
6 and set a briefing schedule and hearing. Dkt. 16. Specifically, the Court ordered Defendants to
7 file any Response by April 21, 2025, at 11:00 a.m. and Plaintiff to file any Reply by April 23,
8 2025, at 11:00 a.m. *Id.* The Court further scheduled a hearing for April 25, 2025, at 9:00 a.m. *Id.*

9 Separately, on April 17, 18, and April 19, several *sua sponte* referral orders were filed in
10 this matter. One of the referral orders pertains to a case being handled by undersigned Counsel's
11 law partner, Zachary Nightingale. Dkt. 14. In that matter, an identical briefing schedule and
12 hearing date and time have been set. *S.Y., et al. v. Noem, et al.*, 25-cv-03244-NW, Dkt. 13 (Apr.
13 16, 2025).

14 The parties now ask the Court to reset the hearing by one business day for several reasons.
15 First, Plaintiff's counsel in this matter has a previously scheduled Individual Calendar Hearing in
16 the Adelanto Immigration Court on April 25, 2025, at 1:00 p.m. Though the hearing will be
17 conducted remotely via WebEx, there exists the potential that the hearing in this matter could
18 overlap with counsel's Individual Calendar Hearing in immigration court. Second, Defendants'
19 counsel in this matter, Elizabeth Kurlan, is also lead counsel in *S.Y., et al. v. Noem, et al.*, which
20 is currently scheduled for a hearing on April 25, 2025, at 9:00 a.m. in San Jose before the
21 Honorable Judge Wise. Therefore, if the two matters are not related, Defendants' counsel will
22 have a scheduling conflict. Finally, assuming the two matters are related, Plaintiffs' counsel in
23 *S.Y., et al. v. Noem, et al.*, Zachary Nightingale, has an in-person Individual Calendar Hearing
24 before the Las Vegas Immigration Court on April 25, 2025, at 8:30 a.m. for a client who is
25 currently detained. Mr. Nightingale would thus have a scheduling conflict. For these reasons, the
26 parties respectfully request that the Court reset the hearing in this matter by one business.

27 Although the parties would be available on Thursday, April 24, 2025, for the hearing, their
28 *John Doe v. Trump, et al.*, No. 4:25-cv-03140

STIPULATION AND [PROPOSED] ORDER FOR
ADMINISTRATIVE RELIEF TO RESET HEARING BY
ONE BUSINESS DAY AND EXTEND TIME TO FILE
SUBMISSIONS BY SIX HOURS EACH

1 preference, subject to the Court's approval, would be to have the hearing on Monday, April 28,
2 2025.

3 Additionally, the parties respectfully request that the Court extend the filing deadline for
4 their respective submissions by a period of six hours. On April 18, 2025, Defendants' counsel
5 asked whether Plaintiff would agree to Defendants' Response being filed by 5:00 p.m. on
6 April 21, 2025. Plaintiff is amenable to that extension request, and Defendants have similarly
7 agreed to Plaintiff filing their Reply by 5:00 p.m. on April 23, 2025.

8 **CERTIFICATION**

9 In accordance with Civil Local Rule 5-1(i)(3), the filer of this document attests that all
10 signatories listed below concur in the filing of this document.

11 Dated: April 20, 2025

Respectfully submitted,

13 /s/ Johnny Sinodis

14 Johnny Sinodis

Marc Van Der Hout

15 Attorneys for Plaintiff

16 PATRICK D. ROBBINS

17 Acting U.S. Attorney

18 /s/ Elizabeth D. Kurlan

19 Elizabeth D. Kurlan

20 Assistant United States Attorney

21 Attorney for Defendants

[PROPOSED] ORDER

IT IS HEREBY ORDERED that the Joint Stipulation for Administrative Relief to Reset Hearing by One Business Day and Extend the Deadline for Submissions by Six Hours is GRANTED.

IT IS FURTHER ORDERED that the hearing in this matter is reset to April ____, 2025, at ____ a.m./p.m.

IT IS FURTHER ORDERED that Defendants' Response is due on April 21, 2025, at 5:00 p.m. and Plaintiff's Reply is due on April 23, 2025, at 5:00 p.m.

Dated: April __, 2025

The Hon. Jeffrey S. White
United States District Judge